

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12723 of 2018

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Kishori Paswan, Son of Janki Paswan, Resident of Village- bathnaha, P.s.-
Bathnaha, Dist- Sitamarhi

... .. Petitioner/s

Versus

1.The State of Bihar through the Principal Secretary Excise Department,
Bihar at Patna.
2.The District Magistrate Sitamarhi, District- Sitamarhi.
3.The Superintendent of Police, Excise Sitamarhi, District- Sitamarhi
4.The Superintendent of Police, Sitamarhi, Dist- Sitamarhi.
5.The Officer in Charge of Excise or Sitamarhi Police Station, Sitamarhi,
Dist- Sitamarhi

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Kumar Manish – SC 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 05-07-2018 This writ petition has been filed for release of a

vehicle (Bajaj PULSAR Bike) bearing Registration No. BR30q-

2875, which has been seized in connection with Sitamarhi P.S.

Case No. 789/2016 due to violation of the Excise Act. The

prayer made in the writ petition is to release the vehicle in

question pending finalization of the confiscation proceedings

and criminal case.

It is common ground that in various cases, identical in

nature, pending finalization of the confiscation proceedings

vehicles have been directed to be released by this Court on



various conditions and we see no reason to make a deviation in the present case.

Keeping in view the aforesaid, it is directed that pending finalization of the confiscation proceedings and aforesaid criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, Sitamarhi and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate or deal with the vehicle in question or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing of the sureties.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./R.S.Sen-

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